S.B.Cr.Misc. Bail App. No.5067/2007

(Pannalal & Anr. Vs. State of Rajasthan)

Date of order : October 09, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.V.D.Kalla, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioners that it was co-accused Kamlendra Singh, who armed with a revolver and has been granted bail by a Co-ordinate Bench of this Court vide order dt. 27.8.2007. Learned counsel for the petitioner has shown me the order dt. 27.8.2007 granting bail to co-accused Kamlendra Singh. It is further contended by learned counsel for the petitioners that no specific overt act has been assigned to the present petitioners.

Learned Public Prosecutor submits that since co-accused Kamlendra Singh, who is alleged to have armed with a revolver, has been granted bail, therefore, the present petitioners are also entitled for bail.

Having considered the totality of facts and circumstances of the case and the fact that co-accused has been granted bail, taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Pannalal s/o Kesaji Gaayari and Banshilal s/o Kukaji Gaayari be released on bail in FIR No.421/2007, P.S. Ambamata (Udaipur) provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-